

Meeting Date: **4 January 2022**
Portfolio: **Finance, Governance and Resources**
Key Decision: **N/A**
Within Policy and
Budget Framework **Yes**
Public / Private **Public**

Title: **APPOINTMENT OF COMMITTEES AND PANELS 2021/22
(January 2022 Onwards)**
Report of: **CORPORATE DIRECTOR OF GOVERNANCE & REGULATORY
SERVICES**
Report Number: **GD.01/22**

Purpose / Summary:

This Report informs Members of the allocation of seats on Committees and Panels for the remainder of the Municipal Year 2021/22. The report takes account of the by-election for the Currock and Upperby Ward, a change in Political Group membership and the formation of a new political group, namely the Independent & Liberal Democrat Group.

Recommendation:

Council agree that the report of the Corporate Director of Governance & Regulatory Services – Appointment of Committees and Panels 2021/22 (January 2022 Onwards) – be received and approved, and that the allocation of seats on and the appointment of Members to the various Committees and Panels of the Council as set out in the Report and Schedules attached be approved.

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Tracking

Council:	4 January 2022
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APPOINTMENT OF COMMITTEES AND PANELS 2021/2022 (January 2022 Onwards)

SUMMARY OF REPORT

1. The City Council by election for the Currock and Upperby Ward was held on 28 October 2021, which resulted in a change to the composition of the Council. In addition, there has been a change in the membership of the political groups on the Council and also the formation of a new political group. The Corporate Director of Governance & Regulatory Services has received a Notice pursuant to Regulation 17 of the Local Government (Committees and Political Groups) Regulations 1990, requesting that a review of allocations takes place in accordance with section 15 of the Local Government and Housing Act 1989. It is, therefore, necessary for the Council to review the allocation of the seats on Council Committees and Panels so that they reflect pro-rata the strengths of the political groups on the Council and comply with the provisions of the aforementioned Act. As there has been a change in the political balance of the Council, the allocation of seats to the groups, therefore, falls to be reviewed.
2. The seats to be allocated to the political groups will have been re-calculated and the Group Leaders informed. The appendices to this Report are:

Appendix 1 The Method of Allocation of Seats
Appendix 2 The Calculation of Aggregate Entitlement to Seats.
The Allocation of Seats on Committees.
The Groups' nominations for appointments to Committees/Panels for the remaining Municipal year 2021/22.
3. At the request of the Leaders of the two main political groups on the Council, it is recommended that in relation to the Overview and Scrutiny Panels (excluding councillors appointed as members of each panel and other councillors ineligible for appointment thereto (i.e. members of the Executive)) that all of the remaining political group members are appointed as substitute members of each panel.
4. IT IS RECOMMENDED that the Report of the Corporate Director of Governance & Regulatory Services – Appointment of Committees and Panels 2021/22 (January 2022 Onwards) – be received and approved, and that the allocation of seats on, and the appointment of Members to, the various Committees and Panels as set out in the Report and Schedules be approved.

Appendix 1

1. METHOD OF ALLOCATION OF SEATS

- 1.1 The rules governing the allocation of seats on Committees and Panels to Political Groups are set out in the Local Government and Housing Act 1989 and regulations made thereunder. The Executive is exempt from the application of those rules and does not have to be politically balanced. The Licensing Committee is also exempt from the rules on political balance, although it is recommended that it should be balanced as far as possible and the Council therefore decided (Minute C.246/04(b)) that it should be comprised of the same members as form the Regulatory Panel. The political balance rules strictly therefore only apply to the Committees and Panels shown in Appendix 2.

The rules governing the allocation are relatively complex and are:

- (i) That not all the seats are allocated to the same Political Group.
 - (ii) That the majority of the seats on each Committee go to the Political Group with the majority on the full Council.
 - (iii) Subject to the above two principles, that the total number of the Committee seats allocated to each Group bears the same proportion to the proportion of the Group on the full Council.
 - (iv) Subject to the above three principles, the number of seats on each Committee allocated to each Political Group bears the same proportion to the proportion of the Group on the full Council.
- 1.2 It is important to note in understanding the allocations shown in the Appendix that the principles must be applied in the order set out above. In other words, the principle in paragraph 1.1 (ii) of giving the largest Political Group on the Council the majority of seats on each Committee must be complied with first, even if this means that that Group exceeds their total aggregate allocation of seats on the full Council referred to in paragraph (iii). This is important in the allocation of the seats in the Council's case as can be seen below because the Conservative Group, having been allocated a majority of seats on each Committee, exceed their aggregate entitlement and this has the knock-on effect of reducing the seats available for distribution to the other political groups.

- 1.3 The duty is to apply the above principles so far as reasonably practicable. This is met by rounding down fractional entitlements of less than a half and rounding up entitlements of a half or more. If there are competing fractions then the higher fraction will “win”.
2. CALCULATION OF THE GROUPS’ ENTITLEMENT ON COMMITTEES AND PANELS
 - 2.1 There are in total 77 seats to be allocated by the Council on the Regulatory Panel, the Development Control Committee, the Overview and Scrutiny Committees, the Standards Committee, the Employment Panel, the Audit Committee and the Appeals Panels. The Conservative Group has 20 Members, Labour 13, the Independent Group has 2 Members and the new Independent and Liberal Democrat Group has 2 Members. In addition to the political groups there are two individual members of the Council: one Independent and one Green Party councillor. As can be seen from the calculations in the Appendix attached, when working out the total aggregate allocation to each Political Group relative to their strengths on the Council, the Conservatives should receive 39 seats, Labour 26 seats, the Independent Group get 4 seats, the Independent and Liberal Democrat Group get 4 and the individual councillors each get 2 seats from the remaining positions.
 - 2.2 However, when the seats are allocated on each individual Committee and Panel and the principle of giving the Conservative Group a majority on each is complied with, it can be seen that this brings the total allocation to the Conservative Group to 47 seats. This is a consequence of the duty in the legislation to ensure that the majority Group has a majority on each Committee and that the principles referred to above are applied in their statutory order of priority. The formation of the new Independent and Liberal Democrat Group means that it is not possible for the other political groups to be allocated their full allocation from the remaining 30 seats to be allocated. Accordingly, it is necessary to reduce the Labour Group allocation by 2 seats to 24 seats and the other two groups by 1 seat each so that they each receive 3 seats. There are no remaining committee seats for the individual members who are not members of a political group.

Appendix 2

CALCULATION OF AGGREGATE ENTITLEMENT TO SEATS

1. The political balance on the full Council is:

20 Conservatives; 13 Labour; 2 Independent Group Members; 2 Independent and Liberal Democrat Group Members; 1 Independent; and 1 Green Party Member

2. There are 77 seats in total on those Committees and Panels which are subject to the proportionality rules giving aggregate entitlements to the groups as follows:

Conservative	$\frac{20}{39} \times 77 = 39.49$	39 rounded down
Labour	$\frac{13}{39} \times 77 = 25.67$	26 rounded up
Independent	$\frac{2}{39} \times 77 = 3.95$	4 rounded up
Independent and Liberal Democrat Group	$\frac{2}{39} \times 77 = 3.95$	4 rounded up

Members not in a political group:

Green Party	$\frac{1}{39} \times 77 = 1.97$	2 rounded up
Independent (RB)	$\frac{1}{39} \times 77 = 1.97$	2 rounded up

Total	77
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ALLOCATION OF SEATS ON COMMITTEES AND PANELS – 2021/2022 (January 2022 onwards)
(77 seats in all) - Licensing Committee to be the same as the Regulatory Panel (Minute C.246/04(b))

	Number of Seats	CONSERVATIVE Proportion	Actual	LABOUR Proportion	Actual	LIB DEM/IND Proportion	Actual	IND GROUP Proportion	Actual
Regulatory Panel	12	6.15	7	4.00	4	0.62	1	0.62	0
Development Control	12	6.15	7	4.00	4	0.62	0	0.62	1
Health & Wellbeing Scrutiny Panel	8	4.10	5	2.67	2	0.41	0	0.41	1
Business & Transformation Scrutiny Panel	8	4.10	5	2.67	2	0.41	1	0.41	0
Economic Growth Scrutiny Panel	8	4.10	5	2.67	3	0.41	0	0.41	0
Standards Committee	7	3.59	4	2.33	2	0.36	0	0.36	1
Employment Panel	6	3.08	4	2.00	2	0.31	0	0.31	0
Audit Committee	7	3.59	4	2.33	2	0.36	1	0.36	0
Appeals Panel 1	3	1.54	2	1.00	1	0.15	0	0.15	0
Appeals Panel 2	3	1.54	2	1.00	1	0.15	0	0.15	0
Appeals panel 3	3	1.54	2	1.00	1	0.15	0	0.15	0
TOTAL	77		47		24		3		3

COMMITTEES AND PANELS (TO BE APPOINTED BY COUNCIL) 2021/22 (January 2022)

REGULATORY PANEL (12)

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Bowman 2 Collier 3 Mitchell 4 Meller 5 Morton 6 Nedved 7 Shepherd Sub: Bainbridge Sub: Mallinson E Sub: Mallinson J	1 Sherriff 2 Sunter 3 Tickner 4 Whalen Sub: Alcroft Sub: Birks Sub: Patrick	1 Bomford Sub: Allison			

LICENSING COMMITTEE (12)

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Bowman 2 Collier 3 Mitchell 4 Meller 5 Morton 6 Nedved 7 Shepherd Sub: Bainbridge Sub: Mallinson E Sub: Mallinson J	1 Sherriff 2 Sunter 3 Tickner 4 Whalen Sub: Alcroft Sub: Birks Sub: Patrick	1 Bomford Sub: Allison			

The Council on 15 December 2004 under Minute C.246/04(b) resolved to establish a Licensing Committee to undertake the Licensing functions referred to in the Licensing Act 2003 with the same Members and substitutes as the Regulatory Panel.

DEVELOPMENT CONTROL COMMITTEE (12)

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Bowman 2 Christian 3 Finlayson 4 Meller 5 Morton 6 Nedved 7 Shepherd Sub: Collier Sub: Mitchell Sub: Tarbitt	1 Alcroft 2 Brown 3 Glendinning 4 Southward Sub: Birks Sub: Patrick Sub: Tickner		1 Tinnion Sub: Paton		

Government Guidance suggests that the Executive Member with responsibility for the Local Plan should be on the Development Control Committee although he/she should not normally be the Chair

HEALTH AND WELLBEING SCRUTINY PANEL (8)

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Finlayson 2 McKerrell 3 Robson 4 Shepherd 5 Tarbitt 6 Robson Sub: Bainbridge Sub: Bowman Sub: Collier Sub: Ellis-Williams Sub: Lishman Sub: Meller Sub: Mitchell Sub: Mitchelson Sub: Morton	1 Glover 2 Whalen Sub: Alcroft Sub: Atkinson Sub: Birks Sub: Brown Sub: Glendinning Sub: Patrick Sub: Sherriff Sub: Southward Sub: Sunter Sub: Tickner Sub: Wills		1 Paton Sub: Tinnion		

All remaining Group Members (with the exception of Executive Members who cannot be members of Scrutiny Panels) are named substitutes on the Scrutiny Panels

BUSINESS AND TRANSFORMATION SCRUTINY PANEL (8)

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Bainbridge 2 Bowman 3 Ellis-Williams 4 Mitchell 5 Mitchelson Sub: Collier Sub: Finlayson Sub: Lishman Sub: McKerrell Sub: Meller Sub: Morton Sub: Robson Sub: Shepherd Sub: Tarbitt	1 Alcroft 2 Tickner Sub: Atkinson Sub: Birks Sub: Brown Sub: Glendinning Sub: Glover Sub: Patrick Sub: Sherriff Sub: Southward Sub: Sunter Sub: Whalen Sub: Wills	1 Allison Sub: Bomford			

All remaining Group Members (with the exception of Executive Members who cannot be members of Scrutiny Panels) are named substitutes on the Scrutiny Panels

ECONOMIC GROWTH SCRUTINY PANEL (8)

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Bowman 2 Ellis-Williams 3 McKerrell 4 Meller 5 Mitchelson Sub: Bainbridge Sub: Collier Sub: Finlayson Sub: Lishman Sub: Mitchell Sub: Morton Sub: Robson Sub: Shepherd Sub: Tarbitt	1 Brown 2 Glendinning 3 Sunter Sub: Alcroft Sub: Atkinson Sub: Birks Sub: Glover Sub: Patrick Sub: Sherriff Sub: Southward Sub: Tickner Sub: Whalen Sub: Wills				

All remaining Group Members (with the exception of Executive Members who cannot be members of Scrutiny Panels) are named substitutes on the Scrutiny Panels

STANDARDS COMMITTEE (7)

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Bowman 2 Mallinson E 3 Meller 4 Tarbitt Sub: Mitchelson Sub: Morton Sub: Robson	1 Sunter 2 Tickner Sub: Sherriff Sub: Southward		1 Tinnion Sub: Paton		

EMPLOYMENT PANEL (6)

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Ellis 2 Mallinson J 3 Mitchelson 4 Nedved Sub: Bowman Sub: Christian Sub: Higgs	1 Atkinson 2 Glover Sub: Birks Sub: Tickner				

One Executive Member must be a member of the Employment Panel

AUDIT COMMITTEE (7)

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Lishman 2 Meller 3 Mitchell 4 Tarbitt Sub: Finlayson Sub: McKerrell Sub: Shepherd	1 Birks 2 Patrick Sub: Tickner Sub: Wills	1 Bomford Sub: Allison			

No member of the Executive and no Chair of Scrutiny Panels will be eligible to be a member of the Audit Committee

APPEALS PANEL NO 1 (3)

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Collier 2 Mallinson J Sub: Bowman Sub: Mallinson E	1 Atkinson Sub: Patrick				

APPEALS PANEL NO 2 (3)

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Bowman 2 Shepherd Sub: Morton Sub: Mallinson J	1 Sunter Sub: Alcroft				

APPEALS PANEL NO 3 (3)

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Mallinson E 2 McKerrell Sub: Meller Sub: Mallinson J	1 Tickner Sub: Wills				

One of the Appeal Panels should have an Executive Member who is not on the Employment Panel

COMMITTEES / GROUPS NOT APPOINTED BY COUNCIL

The following Sub-Committees are appointed by the Licensing Committee:

It is suggested that each Member of the Licensing Committee is appointed as a Member and a substitute on one of the Licensing Sub-Committees. These groupings will enable all Members of the Licensing Committee to have a role as both a Member and a substitute on one of the Licensing Sub-Committees.

LICENSING SUB-COMMITTEE 1 (3)

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Bowman 2 Mitchell Sub: Nedved Sub: Shepherd	1 Sherriff Sub: Sunter				

LICENSING SUB-COMMITTEE 2 (3)

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Meller 2 Morton Sub: Bowman Sub: Mitchell	1 Sunter Sub: Tickner				

LICENSING SUB-COMMITTEE 3 (3)

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Nedved 2 Collier Sub: Meller	1 Tickner Sub: Whalen	 Sub: Bomford			

LICENSING SUB-COMMITTEE 4 (3)

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Shepherd Sub: Morton Sub: Collier	1 Whalen Sub: Sherriff	1. Bomford			

COMMITTEES / GROUPS NOT APPOINTED BY COUNCIL – APPOINTMENTS MADE BY THE LEADER OR BY OTHER COMMITTEES / GROUPS

EXECUTIVE

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Mallinson J 2 Ellis 3 Christian 4 Higgs 5 Mallinson E 6 Nedved					

Appointments made by the Leader

JOINT CONSULTATIVE GROUP

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Mallinson J					

Appointments made by the Leader (1)

MARKET MANAGEMENT GROUP

CONSERVATIVE GROUP	LABOUR GROUP	INDEPENDENT AND LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	GREEN	INDEPENDENT
1 Ellis 2 Mallinson J 3 Nedved					

Appointments made by the Leader (3)